Between Worlds - The History

Alaska's first people stood between Big Oil and a pipeline. They negotiated the best deal they could.

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THE JUNEAU EMPIRE

Her first sight of the huge rock filled Lydia George with shock. Then tears.

United States buys Alaska from Russia.

1867

Congress adopts Organic Act, providing a basis for protection of Native lands in Alaska.

1884

First Native advocacy group in the state, Alaska Native Brotherhood, forms in Juneau.

1912

Project Chariot proposed, bringing one of the first major threats to Native

lands. The project entails using atomic explosions to create a harbor near Point Hope in northwest Alaska.

1957

Alaska becomes 49th state.

1959

U.S. Court of Claims rules Tlingits and Haidas are entitled to compensation for land taken from them.

Conflicts over Native land claims multiply.

'60s

State selects land that threatens Native use of land in the Minto area, about 50 miles west of Fairbanks.

1961

The Tundra Times, the first statewide Native newspaper, established.

1962

Rampart Canyon Dam and Reservoir proposed, raising protests by Stevens

Village, about 75 miles northwest of Fairbanks, and other Yukon River villages.

1963

Natives petition for a \"land freeze\" to stop all transfers of land ownership for acreage involved in Native land claims.

U.S. Interior Secretary Udall issues a preliminary injunction halting further land conveyances to the state from the federal government.

1965

Alaska Federation of Natives forms to secure Native rights.

1966

A series of land claims settlements proposed.

1967
-71

First Native land claims settlement bills introduced in Congress.

1967

Oil discovered at Prudhoe Bay.

1968

Udall formalizes Alaska land selection freeze.

Congress approves the Alaska Native Claims Settlement Act. Signed by President Richard Nixon on Dec. 18.
1971

A Tlingit Indian from the village of Angoon in Southeast Alaska, George was a teacher at the University of Alaska Fairbanks in the 1980s when students showed her a rock as big as a table on display in the library. A Raven design was chiseled on the rock's face.

During the long fight over Native land claims, George had heard Tlingit elders talk about such rocks, used for hundreds of years as titles to land; it was a type of land claim the government never recognized.

\"What is it doing in the library? When the government did not give it recognition, why are they showing it off to tourists?\" George said. \"I touched it and tears just flowed down my face.\"

The rock serves as a painful reminder of the battle Alaska Natives waged for more than 100 years to claim ownership of their land. The fight culminated with the Alaska Native Claims Settlement Act in 1971, but began soon after the United States purchased Alaska from Russia in 1867.

Tlingit leaders in Southeast Alaska protested the sale, saying Russians, who established their first permanent Alaska settlement in 1784, couldn't sell what wasn't theirs; Natives, after all, had lived on the land for centuries.

They pressed the point in a 1947 lawsuit in the U.S. Court of Claims. As Westerners spread throughout Alaska, other Native groups also at times protested encroachment on their land.

But it was Alaska's statehood in 1959 that escalated those conflicts to a critical stage.

The statehood act gave Alaska the right to select more than 100 million acres of land as its own to develop. It soon became clear to Alaska Natives that development was going to work against their traditional lifestyle.

Some of the development projects proposed for Alaska threatened Natives' very existence.

In 1963, the U.S. Army Corps of Engineers wanted to build a 530-foot-high dam on the Yukon River to generate electricity. The dam would have put Athabascan villages under water and forced about 1,200 Natives to leave their homes.

The U.S. Atomic Energy Commission planned to set off a nuclear explosion at Cape Thompson to create a harbor for shipping minerals and other goods from northwest Alaska.

The proposal, called Project Chariot, drew national attention to Alaska Natives' plight and helped prompt establishment in 1962 of the Tundra Times, a newspaper funded in part by Forbes' magazine's Malcolm Forbes.

Inupiat Eskimo Howard Rock of nearby Point Hope was outraged that no one considered the danger of radioactive contamination to Natives living there. Rock became editor of the Tundra Times, the first statewide vehicle for Natives to communicate about land claims and other issues.

A year later, the Alaska Federation of Natives was launched, creating the first united front for Natives across the state. Land claims were at the top of its agenda.

Native leaders pressed for a freeze on all land transfers until Native claims had been resolved, a freeze that U.S. Interior Secretary Stewart Udall granted in 1965.

It was a critical victory for Natives. Robert Willard, a Juneau leader in the claims battle, remembers Natives' reaction: \"Everybody said, ŒHe did what?' Then everybody from our side realized this is pretty serious.\"

Non-Native homestead applications were stalled and business plans faltered, said Emil Notti, who was the AFN president at the time.

\"If it was an Indian problem, we'd still be working on it,\" Notti said. \"When it became a problem for the state of Alaska, homesteaders, oil companies,

cities, it became everybody's problem.\"

The discovery of oil on the North Slope in 1968 sped up the need to resolve land claims, and big oil companies joined the ranks of those trying to gain access to land tied up in Native land claims.

Willard was at the table when the AFN board met with oil company executives developing the trans-Alaska pipeline. He recalled how Joe Upicksoun, an Arctic Slope Native, made clear the Native position:

\"Not one drop of oil, not one inch of pipe will come from the Arctic Slope until the Native claims settlement act is settled.\"

Oil executives responded that nothing would stop the pipeline. They would take Alaska Natives to court if they had to, but of course that would probably take a hundred years.

\"We - can - wait,\" Upicksoun said.

Willard's eyes lit up and a thin smile crossed his heavily creased face as he recalled that moment. Then he said quickly, \"Well, Big Oil couldn't wait 100 years.\"

That was the critical turning point when oil companies threw their weight behind the Natives. And it's why the settlement act passed in 1971 instead of 2010, said Steve Haycox, a University of Alaska history professor.

In 1968, a task force appointed by Gov. Walter Hickel recommended Natives receive title to 40 million acres and 10 percent of oil income from certain lands, among other provisions.

A bill based on those recommendations was introduced in Congress, but died. For the next three years, Congress, Native leaders, oil companies, chambers of commerce, mining interests, sportsmen and others argued over a host of land claim proposals.

The AFN lobbied on a shoestring budget. Villagers held bingo games and raffles to raise cash for the cause, and AFN borrowed money - $100,000 from Natives in Tyonek who sold oil leases on their reservation, and $200,000 from Yakima Indians in Washington, said Don Mitchell, a former attorney for AFN.

Another avenue of funding was the Alaska Rural Affairs Commission, a commission created by Hickel. By then the governor realized he needed to negotiate with AFN

and couldn't do so if Native leaders couldn't afford to travel to meetings, Mitchell said. They used their gatherings to work on the land issue, although there was just enough money to meet in Anchorage once a year.

The start of the trans-Alaska pipeline in Prudhoe Bay. The desire to build the pipeline led to the approval of the Alaska Native Claims Settlement Act.

PHOTO BY BRIAN WALLACE

\"But we could only afford one hotel room,\" said John Schaeffer, former president of NANA Regional Corp. \"So all 15 of us stayed in one hotel room.\"

The land freeze fell into jeopardy when Richard Nixon was elected president in 1968. He replaced Interior Secretary Udall with Alaska's Hickel, who threatened to lift the freeze. \"What Udall can do by executive order I can undo,\" Hickel said.

But first he needed to be confirmed. With powerful conservation groups working against him, Hickel needed the support of Natives. They, however, had won the ear of certain senators and refused to endorse Hickel. He finally buckled and promised to extend the land freeze.

By 1971, it was clear there would be a settlement.

Native representatives traveled to and from Washington, D.C. as a number of proposals and settlement bills were debated. They spent days meeting with pipeline contractors, unions, the Sierra Club and others, and knocked on doors of congressmen to keep the land claims issue in front of them.

It was a lot of work for the 43 Native lobbyists.

\"That's when we found out there were 435 congressmen and 100 senators,\" Willard said.

When the settlement bill was in its final stages, lobbyists had gone over it for days. Willard said that even though they had just a few hours to go over the final version, they were, by then, thoroughly familiar with it.

Others said many people had little idea what was going on.

\"Even guys lobbying didn't know what was in the act,\" Schaeffer of Kotzebue said.

People back in the villages knew even less.

Miner Earl Boise, shown in 1977, said at the time that he was happy about the pipeline, because it brought a road to his Brooks Range mining camp.

THE ASSOCIATED PRESS

Gary Longley Sr. of Nome still regrets what happened in the final days before the settlement act was passed.

At one point Natives were offered a deal giving them about one-tenth of what they eventually received. Thinking that was all they would ever get, they came close to accepting, said Longley, who worked on the settlement.

Another version was presented offering 10 times the amount. Longley and others planned to take this version to the villages to get approval for it.

They didn't have time. Congress was set to act.

Native representatives did a quick phone poll among each other and made their decision: They took the deal.

\"If we waited any longer, it wouldn't have passed,\" Longley said. \"So we took it without a vote of the people and that's bothered me for years.\"

Longley said if representatives had been able to travel back to the villages before the final vote, there would have been less grumbling and better understanding of ANCSA after it passed.

The bill provided Alaska Natives $962.5 million and 44 million acres of land and called for 12 regional corporations to be set up to administer the settlement. Later a 13th corporation was set up for Alaska Natives who lived outside the state.

Alaska Natives gave up their aboriginal land claims, which ended the land freeze and opened the door for the trans-Alaska oil pipeline. They also surrendered their aboriginal hunting and fishing rights.

The AFN called a convention to get Native approval, but President Nixon had already signed the bill.

\"In actuality he signed the bill before we had met. We had the AFN convention afterward,\" Schaeffer said. \"If we voted against it, they would have gone ahead.\"

Many Natives relished what they saw as a victory.

\"We were ecstatic,\" said Morris Thompson, now president and CEO of Doyon Ltd., the regional Native corporation in Fairbanks. \"You're looking back 25 years and you see warts. But at the time we were thrilled.\"

Now came the huge job of conveying land to the newly formed corporations, enrolling shareholders and learning to run businesses.

John Hope, a Tlingit and Juneau resident involved in land claims, described the years immediately following the land settlement this way:

\"It's like you and I never saw a baseball game in our lives. We'd never seen mitts or bats or baseballs. All of a sudden you were told, \"Here's your mitts. Here's your bats. Here's your balls. Tomorrow you play the Yankees.\"

KEY 1: Barrow 2: Nuiqsut 3: Prudhoe Bay 4: Allakaket 5: Venetie 6: Fort Yukon
7: Fairbanks 8: Juneau 9: Angoon 10: Hoonah 11: Anchorage 12: Ouzinkie 13: Kodiak
14: Karluk 15: Dutch Harbor 16: Atka 17: St. Paul 18: St. Michael 19: Unalakleet
20: Galena 21: Nome 22: Savoonga 23: Deering 24: Kotzebue 25: Selawik
26: Red Dog Mine 27: Wainwright 28: Emmonak 29: Mtn. Village 30: Aniak 31: Stony River
32: Bethel 33: Togiak 34: Dillingham 35: Naknek 36: Nondalton 37: Wales